



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

Petition for Termination of Estate Proceedings and for Order Discharging

Administrator without Further Administration

DOD: 12/18/02		FRANK T. RAMIREZ , Administrator, is Petitioner. Petitioner states: 1. The only asset of the estate is a ¼ interest in real property valued at \$10,000.00. 2. The real property (100%) is currently in escrow with Chicago Title Co. to be sold for a total sales price of \$45,000.00. 3. The DHS has a lien against the estate's portion of the property in the amount of \$10,000.00 and has remitted its demand to Chicago Title Company. 4. After deducting the estate's share of costs of sale, the estate's ¼ share will fall short of \$10,000.00 by \$72.76. The real estate broker has agreed to reduce his commission by \$72.76 so that the DHS' claim of \$10,000.00 can be satisfied in full. 5. After the payment of the DHS claim, there will be no assets remaining in the estate to pay the statutory commissions and attorney's fees. 6. Petitioner has performed all duties required of him as administrator and all costs of administration incurred to date have been paid. Petitioner prays for an Order: 1. Confirming and approving all of the acts and proceedings of Petitioner as Administrator; 2. Terminating further proceedings for the administration of the estate; and 3. Discharging Petitioner as the administrator of the estate.	NEEDS/PROBLEMS/COMMENTS:	
Cont. from 011414, 052314, 072214, 091614				
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<input type="checkbox"/>	FTB Notice	n/a		
		Reviewed by: JF Reviewed on: 10/24/14 Updates: Recommendation: File 1 – Medina		

Atty Shehadey, Vanessa L.; Chiu, Henry Y.; of Tucker, Chiu, Hebesha & Ward (for Conservators, Ted Miller and Norma Miller)

(1) Biennial Status Report of Conservators, (2) Petition for Authority to Pay Attorneys' Fees and Costs, and (3) Withdrawal of Funds from Blocked Account and Budget

Age: 38 years	TED MILLER and NORMA MILLER , parents and Co-Conservators of the Person and Estate appointed in 1994 without bond, are Petitioners.	NEEDS/PROBLEMS/COMMENTS:
Cont. from	Report period: 6/1/2012 - 8/31/2014	Note for background:
Aff.Sub.Wit.	Beginning POH - \$700,211.46 (consisting of 2008 handicap-equipped van (\$56,233.95), unblocked Merrill Lynch account cash of \$6,797.96, and blocked Merrill Lynch account valued at \$637,179.55.)	Conservatee received a settlement of over \$940,000.00 in 1990 as a result of a motor vehicle accident she suffered at age 13. Petitioners were appointed as Guardians of her estate in 1990 and were later appointed Conservators of her Person and Estate in 1994. The JOCELYN MILLER IRREVOCABLE TRUST (Case 0493690) owns a single asset consisting of the home in which Conservatee and her parents reside, which was specially designed for the Conservatee's needs associated with her traumatic brain injury and medical conditions stemming from the accident.
✓ Verified		~Please see additional page~
Inventory	Ending POH - \$630,986.39 (consisting of 2008 handicap-equipped van (\$56,233.95), unblocked Merrill Lynch account cash of \$9,286.39, and blocked Merrill Lynch account valued at \$565,466.05.)	
PTC		
Not.Cred.	Biennial Budget - \$115,200.00 (total of \$57,600.00 each year for two years (2014 through 2016) to be withdrawn from blocked account @ \$4,800.00 per month;)	
✓ Notice of Hrg		
✓ Aff.Mail	Conservators - waive	
Aff.Pub.	Attorney - \$2,400.00 (for services for preparation of biennial report and related pleadings; for protracted hearing on the Report of Conservator filed 6/20/2012; per Declaration of Henry Y. Chiu filed 9/23/2014;)	
Sp.Ntc.	Costs - \$682.50 (Courtcall; filing fees for petition for withdrawal and for instant Report; certified copies;)	
Pers.Serv.	Petitioners state:	
Conf. Screen	<ul style="list-style-type: none"> During the period of this account, the sum of \$4,800.00 per month has been deposited into the unblocked account at Merrill Lynch for the payment of ongoing monthly expenses of the Conservatorship; Conservators used these funds for payment of expenses related to living, medical, health care, education, rehabilitative, handicap accessibility and handicap transportation expenses of the Conservatee; 	
Letters	~Please see additional page~	
Duties/Supp		
Objections		
Video Receipt		
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		Reviewed by: LEG
		Reviewed on: 10/24/14
		Updates:
		Recommendation:
		File 2 – Miller

Petitioners state, continued:

- The Budget filed herewith provides an itemized list that specifies the estimated expenses for the Conservatorship for October 2014 through October 2016 (*Please refer to Biennial Budget for Conservatee filed 9/23/2014 and expenses on Exhibit A;*)
- No increase in the **\$4,800.00** monthly withdrawal is requested;
- There is still a need for the Conservatorship; there is likely to remain a need for the Conservatorship throughout the lifetime of the Conservatee;
- Conservators have administered the conservatorship without waste and in the exercise of their powers as Conservators have rendered services to the Conservatorship in connection with the management and administration of the Conservatorship, including bookkeeping, preservation of records, clerical functions, dealing with the institution at which Conservatorship funds are maintained, meeting with counsel to discuss various matters with regard to the Conservatorship;
- Conservators are entitled to a reasonable fee for the services; however, Conservators have waived, and hereby again waive, their right to any fee for said services.

Conservators pray for an Order:

1. Approving the Report of Conservators;
2. Approving and confirming the acts of the Conservators;
3. Authorizing the Conservators to withdraw from the blocked account at Merrill Lynch the amount of **\$2,400.00** to pay Tucker, Chiu, Hebesha & Ward on account of legal services rendered by the attorney on behalf of the Conservatorship, at the amount of **\$682.50** for costs advanced.

Court Investigator Jennifer Young's Annual Review was filed on 10/23/2014.

NEEDS/PROBLEMS/COMMENTS, continued:

Notes for background, continued:

- *Order Settling Fifth Account and Report* filed 9/5/2007 authorized the **\$4,800.00** per month withdrawals as an increase from the previous **\$4,400.00** allowed per month; prior to 2000, the amount was **\$4,000.00** per month.
- Conservators have purchased, after obtaining Court approval for the withdrawals from blocked account, handicap-equipped vans as follows:
 1. 1994 Ford van for **\$43,562.57**, approved by Order signed 11/14/1994;
 2. 2003 Pontiac van for **\$38,768.11** (valued at **\$46,268.11**), approved by Order signed 10/28/2003;
 3. 2008 Dodge van for **\$56,233.95**, approved by Order signed 8/27/2008.

~Please see additional page~

NEEDS/PROBLEMS/COMMENTS, continued:

1. *Declaration of Henry Y. Chiu filed 9/23/2014* requests **\$2,400.00** for attorney fees for services rendered to the Conservatorship, including conferences with Conservators, conferences with Merrill Lynch representatives, preparation for Court hearings on behalf of the Conservatorship, preparation of the *Report of Conservators and Petition for Authority to Pay Attorney's Fees and Costs*, preparation of annual budget and corresponding documents, and other related Conservatorship matters. Declaration states the Conservatorship estate incurred considerable attorney fees in connection with the hearing in October 2012 as a result of multiple Court appearances at the request of Judge Oliver; in addition, time was expended in assisting Conservators in filing an ex parte petition to withdraw funds [of **\$7,495.13**] to replace an air conditioning unit. Paragraph 28 of the *Report* state that the attorney fees are requested as a result of a protracted hearing on the *Report of Conservators* filed on 6/20/2012. Need authority to support the attorney request for fees based upon the following case history, provided for the Court's information in determining whether the requested fees should be authorized:
 - **Minute Order dated 7/25/2007** from the hearing on the *Fifth Account and Report of Conservators* filed 6/18/2007 states: "The Court orders that no further attorney fees will be paid on future accountings [emphasis added.] Accounting should be on file by 8/29/2007." It is noted that accountings appear to have been waived in 1994 such that accountings have not been filed pursuant to Probate Code § 2620 et seq. by the Conservators throughout the conservatorship, but Conservators have filed budget reports, which in every respect are less taxing to prepare than accountings. *Local Rule 7.16(B)(4)* provides that Court will allow a flat fee for attorney services for each timely filed subsequent account of **\$1,250.00** per year; this rule is mentioned by analogy for the Court's consideration in determining whether the Conservator's Reports warrant the fee request in spite of the Court's order of 7/25/2007 ordering that no further attorney fees will be paid in the matter.
 - **Report of Conservators filed on 6/20/2012** was set for hearing on 7/25/2014. *Minute Order* dated 7/25/2014 from the hearing on that Report states: "No appearances. Matter continued to 8/22/2012." It is noted that Exhibit 1 attached to *Declaration of Henry Y. Chiu filed 9/23/2014* containing the itemization of services does not include the date of 7/25/2014 on which no appearance was made by the attorney; the itemization begins on 8/16/2012, and itemizations dated 8/22/2014 (the date of the continued hearing due to attorney non-appearance) include services to attend 8/22/2014 hearing by Courtcall and conference with Judge Oliver regarding concerns of the Court. *Minute Order* dated 8/22/2012 states: "Counsel is directed to submit a declaration regarding the household budget as well as any improvements made and paid by the Millers." *Declaration of Ted Miller and Norma Miller in Support of Report of Conservators* was filed on 9/21/2012.

~Please see additional page~

NEEDS/PROBLEMS/COMMENTS, continued:

2. Paragraph 6 of the Report states that on **11/16/1994**, an Order Appointing Petitioners as Conservators was filed with the Court, wherein the Court waived further accountings and ordered that the amount of **\$933,069.53** be placed in a blocked account at Merrill Lynch. **Minute Order dated 8/27/2008** from the hearing on the Report of Conservators filed 9/5/2008 states, in pertinent part: "Attorney Shehady brings to the Court's attention that the order dated 11/16/1994 waived all accountings. This Court will require an annual report." Probate Code § 2620 et seq. requires accountings be filed for all conservatorship estates unless the conservatorship estate satisfies the requirements of Probate Code § 2628(a). It is unclear from Court records the basis upon which the Conservators had founded their request for waiver of accountings in 1994. The following is provided for the Court's consideration in revisiting the Court's granting in 1994 of the waiver of accountings:

- **Probate Code § 2628(a) provides:** the court may make an order that the conservator need not present the accounts otherwise required by this chapter so long as **all** of the following conditions are satisfied:

(1) The estate at the beginning and end of the accounting period for which an account is otherwise required consisted of property, exclusive of the residence of the conservatee, of a total value of less than **\$15,000.00**; *[Here, Conservatorship value is stated as \$630,986.39 as of 8/31/2014; the Court is provided no bank statements for verification of assets and income as would otherwise be required under Probate Code § 2620(c), due to the waiver of accountings];*

(2) The income of the estate for each month of the accounting period, exclusive of public benefit payments, was less than **\$2,000.00**; *[Again, the Court is provided no information as to assets and income to the Conservatorship in the form of Merrill Lynch bank account statements of balance and any gain or loss on investments];* and

(3) All income of the estate during the accounting period, if not retained, was spent for the benefit of the Conservatee.

- **Exhibit A, Budget for October 2014 through October 2016 (Estimated)** lists expenses incurred each year, a few of which are listed below, about which the Court may require further information and itemization as to allocation of the expenses solely to the Conservatee; because accountings are waived, there is no indication in the Report that the Conservators apportion the amounts to share the expenses with the Conservatee:
 - Home Health Aide/therapy of **\$18,000.00**;
 - Credit Card of **\$6,000.00**;
 - AT&T of **\$350.00**; Cable of **\$1,750.00**; PGE/Utilities of **\$5,500.00**;
 - Taxes of **\$4,500.00**;
 - Home/Van insurance, gas, repairs and expense totaling **\$4,150.00**;
 - Home repairs and upkeep of **\$3,000.00**; pool expense of **\$1,200.00**;
 - Miscellaneous of **\$1,400.00**.

Note: If Court requires conservatorship estate accountings under Probate Code § 2620 et seq., the Court will set a status hearing as follows: **Monday, October 31, 2016 at 9:00 a.m. in Dept. 303** for filing of the First Account of the Conservatorship estate.

DOD: 12/24/2004		PAMELA GAY LASSLEY , Executor, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		I & A - \$149,000.00	
		POH - \$150,027.15	
Cont. from 061714, 080514 090914		Executor - waives	
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			Reviewed by: KT
			Reviewed on: 10/23/14
			Updates:
			Recommendation: SUBMITTED
			File 3 - Sharrah

Status Hearing Regarding the Sale of Real Property of the Conservatorship Estate and Failure to File the Second Account

		JEFF DALE, Husband and Successor Conservator of the Estate, filed an Ex Parte Petition for Permission to Sell Real Estate on 6-23-14.	NEEDS/PROBLEMS/COMMENTS: Note: Historically, Mr. Dale, has been self-represented in his capacity as Conservator of the Estate, and Attorney Panzak separately serves as Conservator of the Person, represented by Attorney Catherine Scharbaugh. However, the ex parte motion was filed by Attorney Panzak <u>as attorney for</u> Jeff Dale. The Court may require clarification and the filing of a Substitution of Attorney for Court records. Note: The Order Confirming Sale of Real Property was entered on 9-19-14. However, nothing further has been filed. Note: This is a STATUS HEARING . 1. Need Second Account or verified written status report pursuant to Local Rule 7.5.
		On 6-24-14, the Court denied the petition and set this status hearing regarding the sale of the real property and failure to file a second account.	
Cont from 072114, 091514, 091614		History: Attorney GORDON PANZAK originally petitioned for appointment as Conservator of Michelle Lloyd Dale's Estate due to a dissolution action filed by JEFF DALE , her husband, and was appointed on 1-25-08. Pursuant to an amended order on 5-7-08, no bond was required, but funds were to be blocked. Mr. Panzak later filed a petition for appointment as Conservator of her Person, and was appointed on 8-5-08, with medical consent and dementia medication and placement powers. On 1-30-09, Mr. Panzak filed his first account and resignation, and Mr. Dale filed a petition for appointment as Successor Conservator of the Estate, with Mr. Panzak remaining as Conservator of the Person. Mr. Dale was appointed as Successor Conservator of the Estate with bond of \$340,000.00 on 3-18-09. Mr. Panzak's First Account covered the period of 1-25-08 through 1-15-09, and was settled 3-18-09. On 4-27-10, Mr. Dale filed a Petition for Instructions was filed with regard to an inheritance that was expected, and on 4-28-10, Mr. Dale filed his first account as Successor Conservator of the Estate. Mr. Dale's accounting covered the period of 1-20-09 through 1-20-10. Per the minute order of 8-17-10, the Court accepted the accounting, but did not approve of Mr. Dale's actions and surcharged him \$220.00, payable to the conservatorship estate. Aside from a petition for compensation by Attorney Bagdasarian, court-appointed attorney for Conservatee (appointment terminated as of 9-30-10 per Minute Order), there was <u>no activity in this matter</u> for almost four years until Mr. Dale filed his ex parte motion on 6-23-14. Therefore, the Court denied the ex parte motion and set this status hearing regarding the real property and failure to file a second account.	
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**Status Hearing Re: Account/Report of Executor on Waiver of Account
and Petition for Distribution**

DOD: 01/17/11	DEBORAH KAMINE , daughter, was appointed Executor with full IAEA authority and without bond on 05/12/11. Letter Testamentary were issued on 05/12/11.	NEEDS/PROBLEMS/COMMENTS: Continued from 08/19/2014 Minute Order of 07/22/2014: Ms. Kircher appearing specially for Attorney Paul Franco. Minute Order from 04/18/2014: No appearances. Paul Franco is ordered to be personally present on 05/23/2014 if the required documents have not been filed. Copy of Minute Order mailed to Attorney Franco on 04/18/2014. Minute Order from 03/21/2014 states: No appearances. Paul Franco is ordered to be personally present on 04/18/2014 if the account and petition for distribution has not been filed. Copy of Minute Order mailed to Attorney Franco on 03/24/2014. Minute Order from 01/24/14 states: No appearances. Matter continued to 03/21/14. The Court orders Paul Franco to be personally present on 03/21/14. Copy of Minute Order mailed to Attorney Franco on 01/30/2014. 1. Need First Account or Petition for Final Distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
	Inventory & Appraisal, final, filed 10/11/13 - \$198,712.13	
Cont. from 012414, 041814, 052314, 072214, 081914	Minute Order from status hearing on 10/25/13 set this matter for status regarding filing the Account/Report of Executor on Waiver of Account and Petition for Distribution.	
Aff.Sub.Wit.	Former Status Conference Statement filed 07/21/2014 states the reason for delay in closing out the estate concerns the disposition of the home, which represents the single greatest asset of the Estate. There are four beneficiaries to the Estate, including the petitioner. The home is encumbered with a loan of approximately \$80,000.00. One of the beneficiaries, not the Executor, has been residing in the home and continues to as of this time. In addition, the petitioner is owed reimbursements that are expected to exceed the net value of the remaining Estate once the home is sold and expenses for repairs, commissions and closing costs are incurred. After months of negotiating a resolution with the beneficiaries, an agreement was reached last week wherein petitioner will pay the beneficiaries an equal amount to each from her own sources in exchange for an assignment of their interests in the Estate to petitioner. Petitioner is now prepared to close the Estate by filing a Petition for Final Distribution on Waiver of Accounting once this has been concluded. This will allow the petitioner to keep the home, which will hopefully through appreciation and payoff over time, allow her to recoup her expenses rather than through reimbursement. The assignments are expected to be received over the next two weeks, and the petitioner for final distribution is expected to be filed on or before 30 days from the date of this hearing. Petitioner would appreciate a final continuance of 30 days.	
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Citation		
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		Reviewed by: LV
		Reviewed on: 10/23/2014
		Updates:
		Recommendation:
		File 6 – Blankenship

		ROBERT M. MOCHIZUKI , Trustee, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: <u>Minute Order 6-25-14:</u> The Court sets a \$150,000.00 limitation on expenditures for environmental remediation. Counsel is directed to prepare an order. <u>Minute Order 9-23-14:</u> Continued to 10-28-14.
Cont'd from 062514, 092314		Petitioner states Settlers Robert Mochizuiki, aka Shigeki Robert Mochizuki, and Masako Mochizuki, both deceased, created the trust. The trust contemplated division into as many as three subtrusts upon the death of the first settlor; however, for purposes of this petition, the term Trust shall include the Mochizuki Family Trust and all subtrusts created thereunder. Petitioner and his three siblings are the beneficiaries of the Trust.	
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		The assets of the Trust include real property consisting of approx. 8 acres located at 718, 748 and 810 S. Minnewawa in Fresno (containing an orchard and various structures) and approx. \$1,400,000 in liquid assets. The property has been used for agricultural applications since the mid 1940s. A Phase I environmental site investigation recommended further investigation for the potential presence of contaminants. A Phase II limited site investigation was conducted and for the areas tested, certain chemicals were discovered in elevated levels beyond that provided for by the California EPA's California Human Health Screening Levels. In addition, asbestos was discovered in some of the structures.	
		A disagreement has arisen among Trust beneficiaries as to the optimal route in dealing with the environmental issues. Remediating known environmental issues will cost the Trust a significant amount of money, and there is a risk that the cleanup process will uncover new and more significant concerns. Petitioner believes remediating the environmental issues will likely enable the Trust to net a significantly higher amount than if he were to simply list the property for sale without conducting any cleanup. More importantly, remediating the damage now provides greater clarity as to the exposure the Trust faces.	
		SEE ADDITIONAL PAGES	
			Reviewed by: skc
			Reviewed on: 10-23-14
			Updates:
			Recommendation:
			File 7 - Mochizuki

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Petitioner states even if the property is sold "as is" this would not stop governmental authorities from coming back after the Trust, the trustee, and beneficiaries who receive distributions. Various federal and California statutes saddle prior landowners with liability for environmental issues even after a property is sold, even if disclosed to buyers. To address this, Petitioner could, in theory, obtain indemnity from a buyer, but this would likely significantly depress the sales prior and would only be as good as the worth of the indemnifying party.

A disagreement has also arisen among beneficiaries regarding making a preliminary distribution of the Trust estate while Petitioner deals with the environmental issues. A Trust beneficiary has asked for a large preliminary distribution. However, Petitioner is concerned that the environmental liability could exceed the entire trust estate. While initial cleanup costs are well below the size of the trust estate, there is some likelihood that the estimates are too low and that when work starts, worse problems will be uncovered.

Petitioner has consulted with two appraisers and an independent commercial real estate broker and there is consensus that the property would likely be used as a multi-family development. Petitioner notes that the homes are vacant and as such are a liability. Petitioner has already obtained bids for asbestos remediation, cleanup of contaminated ground, and removal of the structures. If the Court grants the relief requested, Petitioner will obtain updated final bids and begin asbestos remediation. Once cleanup is complete, the trust could offer a potential buyer assurance that all issues are remediated.

Petitioner prays for an order instructing Petitioner:

- a. Whether Petitioner as trustee is acting in the best interests of the Trust beneficiaries by proceeding with his plan to remediate the environmental issues and remove the structures at the property before listing it for sale; and**
- b. Whether Petitioner as trustee is justified in withholding any preliminary distribution at this time until the extent of the cost to remediate the environmental damage is finally determined; and**
- c. For any other relief the Court deems just and proper.**

Beneficiary Chris Mochizuki filed a Response on 6-5-14.

SEE ADDITIONAL PAGES

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Chris Mochizuki states the property is no longer operated as an orchard and there are several abandoned buildings on the property. It is suitable for residential uses, but would have to be incorporated into the city, rezoned, and subdivided. Based on appraisals obtained by the trustee, the property is valued at approx. \$430,000. The trust has no liabilities or debts apart from the claimed risk associated with the remediation of hazardous substances on the property.

The Trustee is required to wrap up the affairs of the trust and distribute the net assets to the beneficiaries within a reasonable time. The Trustee has the power to comply with environmental laws and to "abate, clean up, or otherwise remedy" any violation of environmental laws. To date, Petitioner has only made small advances to Larry for help with his living expenses. He has refused to make any other distributions from the substantial cash reserves, supposedly because of the risk of runaway remediation costs for the property. However, he has taken no steps to begin remediation or to sell it "as is." Consequently, the beneficiaries are receiving nothing.

Petitioner expresses fear that the cost of remediating hazardous substances on the property justifies his delay in distributing cash to beneficiaries. However, he has not been entirely candid with the Court. The bids show costs of approx. \$50,000 for the entire remediation, which is less than 3% of trust assets. Even if he decided to reserve more, there would be plenty of liquid assets to make a sizeable interim distribution to beneficiaries.

Petitioner claims it is necessary to reserve the entire \$1,400,000 in case the remediation costs spiral out of control, but provides no objective basis for this fear. Moreover, if there is really a danger that costs could approach that amount, why begin the process at all to remediate a property that is worth, at best, \$600,000? If the risk of uncontrolled remediation costs is genuine, the trust would be better served by selling the real property "as is" for a reduced price and indemnity from a buyer, then distributing cash assets.

Administration of the Trust has been paralyzed by Petitioner's inability to decide whether remediation should or should not proceed. The Court should instruct him to either remediate the property or sell it "as is." In the meantime, Petitioner should be instructed to make a substantial interim distribution so that the beneficiaries can receive some of the benefits intended by their parents.

Respondent provides discussion regarding the environmental concerns on the property. See Response for details.

Respondent concludes that even if the costs double or triple, they would represent only a small fraction of the Trust's assets. It is difficult to understand Petitioner's concerns about uncontrolled costs, his reluctance to market the property "as is," and why he has allowed this minor problem to stall administration of the trust for the past year. The Court should require Petitioner to make a decision whether to remediate or sell "as is" and then act on it in a timely manner. The Court should require quarterly reports so that this process can be monitored by beneficiaries. In the meantime, Respondent respectfully requests that the Court order Petitioner to make a preliminary distribution to the beneficiaries of not less than \$1,000,000.

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Respondent Christ Mochizuki filed Further Response on 9-18-14 that states the current status is unknown. The trustee has not provided any information on the status of the remediation effort. They do not know how much of the work was completed, what remains, whether any unexpected contamination was encountered, the costs to date, or the costs to complete. There have not been any discussions of interim distributions. The trustee's continuing failure to provide information to the beneficiaries is unexplained and should not continue.

Respondent requests a Court order as follows:

1. That the trustee provide a full report to the Court and all beneficiaries regarding the work performed to date and the cost thereof within 10 days;
2. That the trustee provide a further report to the Court and all beneficiaries within 10 days regarding the remaining work to be performed, the estimated cost of the work, and the completion date, supported by documentation from contractors retained to perform the work;
3. That the trustee make an interim distribution of \$1,000,000 to the beneficiaries in accordance with their interests under the trust within 10 days; and
4. That the hearing on this matter be continued for 30 days to determine the status on the remediation and whether the property can now be listed for sale.

Status Report filed by Attorney Steven Matlak (not verified by trustee) provides status of the various projects and states work is still in progress and an additional 45 days is needed in order to complete the initial phase of the remediation work. See report for details re asbestos demolition, etc. Mr. Matlak states the trustee believes the work can be completed by November 1, 2014 and requests the Court continue this matter for an additional 45 days.

As of 10-23-14, nothing further has been filed.

Age: 56		<u>NO TEMPORARY REQUESTED</u>		NEEDS/PROBLEMS/COMMENTS:		
		STEPHEN GUERTIN , brother, is Petitioner, and requests appointment as Conservator of the Person with medical consent powers.		Court Investigator advised rights on 08/28/14.		
Cont. from 091614		Petitioner states that Donald is developmentally disabled and unable to handle his obligations and medical needs independently. Donald needs help managing all of his affairs.				
	Aff.Sub.Wit.					
✓	Verified	Court Investigator Jennifer Young filed a report on 09/08/14.				
	Inventory					
	PTC					
	Not.Cred.					
✓	Notice of Hrg					
✓	Aff.Mail	w/				
	Aff.Pub.					
	Sp.Ntc.					
✓	Pers.Serv.	w/				
✓	Conf. Screen					
✓	Letters					
✓	Duties/Supp					
	Objections					
✓	Video Receipt					
✓	CI Report					
	9202					
✓	Order					
	Aff. Posting					
	Status Rpt					
	UCCJEA					
✓	Citation					
	FTB Notice					
			Reviewed by: JF			
			Reviewed on: 10/24/14			
			Updates:			
			Recommendation:			
			File 8 - Guerlin			

Report of Sale and Petition for Order Confirming Sale of Real Property

DOD: 7-18-14		<p>STEPHEN LOGIUDICE, Executor with Limited IAEA without bond, is Petitioner.</p> <p>Sale price: \$345,000.00 Overbid: \$362,750.00</p> <p>Appraisal: \$327,000.00</p> <p>Property: 3191 N. Monroe Ave., in Fresno, APN 512-410-04, consisting of 3.54 acres, plus two adjoining parcels consisting of 9.05 acres, APNs 512-120-34 and 512-120-35. (total 12.59 acres)</p> <p>Publication: N/A (Will authorizes sale)</p> <p>Buyer: Daniel A. Kochergen, a single man</p> <p>Broker: 6% of \$345,000.00 or \$20,700.00 to be split between Greatland Realty Services and Valley West Properties.</p> <p>Petitioner states the property was listed on multiple listings, advertised on Realtor.com, Trulia and Zillow. Property sold "AS IS" condition. Seller to pay for Natural Hazard Zone Disclosure Report, Documentary Transfer Tax, and Title Insurance. Escrow expenses to be divided equally between buyer and seller.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Proposed personal representative is a resident of Minnesota. Probate Code 8571 states notwithstanding a waiver of bond, the court in its discretion may require a nonresident personal representative to give a bond in an amount determined by the court.</p> <p>At the hearing on appointment, Mr. Logiudice was appointed with limited authority without bond.</p> <p>At this time, with the sale of the real property, the Court may require bond.</p> <p><u>Note:</u> Petitioner requests to deposit the proceeds into a blocked account in lieu of bond. However, Examiner notes that the original petition also estimated \$10,000.00 in personal property assets, the nature of which is not yet known, in addition to the real property. The Court may require clarification.</p> <p>If bond is required, the Court will set a status hearing for the filing of the bond for Tuesday, December 9, 2014, at 9:00 am in Dept. 303.</p>		
	Aff.Sub.Wit.				
✓	Verified				
✓	Inventory				
✓	PTC				
	Not.Cred.				
✓	Notice of Hrg				
✓	Aff.Mail				W
N/A	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.				
	Conf. Screen				
✓	Letters				9-11-14
	Duties/Supp				
	Objections				
	Video Receipt				
	CI Report				
	9202				
✓	Order				
✓	Aff. Posting				
	Status Rpt				
	UCCJEA				
	Citation				
	FTB Notice				

Reviewed by: skc
Reviewed on: 10-23-14
Updates:
Recommendation:
File 9 – Logiudice

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

		TEMP EXPIRES 10-28-14	NEEDS/PROBLEMS/COMMENTS:
		CARLOS PEREZ NAVARRO , Minor, is Petitioner and requests that his aunt, ELOISA ALANIZ NAVARRO , be appointed as his guardian.	<p><u>Note</u>: This petition was originally set for 12-1-14; however, pursuant to Minute Order 10-6-14, the matter was rescheduled for 10-28-14. (The minor will turn 18 on 11-4-96.)</p> <p>1. The Court may require notice to all relatives listed pursuant to Probate Code §1511.</p>
		Father: ALEJANDRO PEREZ HERNANDEZ, Consents and Waive Notice Mother: MARIA LORENZA NAVARRO TORRES, Consents and Waive Notice	
<input type="checkbox"/>	Aff.Sub.Wit.	Paternal Grandfather: Alejandro Perez Paternal Grandmother: Marcelina Hernandez	
<input checked="" type="checkbox"/>	Verified	Maternal Grandfather: Jacobo Navarro Maternal Grandmother: Lucinda Torres	
<input type="checkbox"/>	Inventory	Siblings: Ana Amelia Perez Navarro, Jose Antonio Perez Navarro, Maria M. Perez Navarro, Mara G. Perez Navarro, Maria Marcelina Perez Navarro, Marco Jacobo Perez Navarro, and Lorena O. Perez Navarro.	
<input type="checkbox"/>	PTC	<i>Note: All of the above-listed relatives reside in Honduras.</i>	
<input type="checkbox"/>	Not.Cred.	Petitioner states he is currently residing with his aunt, Eloisa Alaniz Navarro, in Mendota, CA. Guardianship with his aunt is necessary to provide him with a safe and stable living environment. He has been neglected by his parents and reunification with one or both of his parents in Honduras would be detrimental to the minor. A guardian needs to be appointed to qualify for Special Immigrant Juvenile Status.	
<input type="checkbox"/>	Notice of Hrg	Petitioner states he fled Honduras on 5-21-14. His parents were unable to provide for him; he was neglected and his father was physically abusive. As a result, he immigrated to the United States and has been residing with his aunt since May 2014 and is attending Mendota High School. His parents consent to the guardianship. See Declarations of minor, proposed guardian, attorney, and Points and Authorities.	
<input type="checkbox"/>	Aff.Mail	Court Investigator Jennifer Daniel filed a report on 10-2-14.	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	Clearances		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

Reviewed by: skc

Reviewed on: 10-23-14

Updates:

Recommendation:

File 10 – Navarro

Petition for Letters of Administration; Authorization to Administer Under IAEA with Limited Authority (Prob. C. 8002, 10450)

DOD: 6/12/1994	JESUS M. MEJIA , son, is petitioner and requests appointment as Administrator without bond.		NEEDS/PROBLEMS/COMMENTS:
	Limited IAEA - o.k.		
Cont. from	Decedent died intestate.		<p>1. Need proof of service of the Notice of Petition to Administer the Estate <u>or</u> Declaration of Due Diligence on:</p> <ol style="list-style-type: none"> Alicia Lopez (granddaughter) Anna Martinez (granddaughter) Paula Mejia (granddaughter) Jose Alfredo Martinez (grandson) Antonio Martinez (grandson) Jorgena Hernandez (grandson) Juanita Hernandez (granddaughter) Autumn Cheyenne Mejia (minor granddaughter) To the person having legal custody of Autumn Cheyanne Mejia with whom Autumn resides. California Rules of Court, Rule 7.51 (d). <p>Note: If the petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> Wednesday, March 25, 2015 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. Wednesday, March 30, 2016 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.</p>
<input type="checkbox"/> Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
<input type="checkbox"/> Inventory	Residence: Fresno		
<input type="checkbox"/> PTC	Publication: Fresno Business Journal		
<input type="checkbox"/> Not.Cred.			
<input type="checkbox"/> Notice of Hrg			
<input checked="" type="checkbox"/> Aff.Mail	W/	Estimated value of the estate: Real property - \$80,000.00	
<input checked="" type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.	Probate Referee: Steven Diebert.		
<input type="checkbox"/> Conf. Screen			
<input checked="" type="checkbox"/> Letters			
<input checked="" type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			
			Reviewed by: KT
			Reviewed on: 10/24/14
			Updates:
			Recommendation:
			File 11 – Mejia

**Probate Status Hearing Re: Failure to File the Inventory and Appraisal and for
Failure to File a First Account or Petition for Final Distribution**

		WILLIAM R. SHOCKLEY and KATHERINE ROYCE , children, were appointed Co-Administrators with full IAEA without bond on 12/12/2006.	NEEDS/PROBLEMS/COMMENTS:
		Letters issued on 12/14/2006.	
		Inventory and Appraisal was due on 05/2007.	Continued from 10/14/2014.
		First Account or Petition for Final Distribution was due 02/2008.	Minute Order of 08/14/2014: Attorney Cross represented to the Court that he spoke to his client and he is willing to sign the document.
Cont. from 030714, 051614, 063014, 081414, 101414		Notice of Status Hearing was mailed to Robert W M Cross on 12/18/2013.	Minute Order of 06/30/2014: Examiner notes provided to counsel.
Aff.Sub.Wit.		Former Status Report filed 10/14/2014 states at the hearing of 08/14/2014 a continuance was granted while before that hearing Attorney Cross satisfactorily reestablished contact with the surviving co-administrator, more time for research is needed in this unusual case, so a continuance into early to middle December is requested.	Minute Order of 05/16/2014: The Court will allow the filing of the document with a Fee Waiver.
Verified			Minute Order of 03/07/2014 (Judge Hamlin): No appearances. Counsel to file the required documents or a status report before the next hearing. Failure to file said documents will result in the issuance of an order to show cause regarding contempt. Robert Cross ordered to be personally present on 05/16/2014.
Inventory		Former Status Report filed 08/13/2014 states Attorney Cross has made several attempts to reach surviving co-administrator, William R. Shockley, but have received no contact from him whatsoever, and have not received any further information or documents from him beyond that attached to Status Report filed 06/226/2014. Mr. Cross asked him to appear with him in Court on 08/14/2014 but has not heard back from him.	Copy of Minute Order was mailed to Attorney Robert W. Cross on 03/19/2014.
PTC			Please see additional page
Not.Cred.		Attorney Cross requests that the Court continue this hearing. If William R. Shockley fails to appear in court on August 14 and doesn't by that time have satisfactory contact with Attorney Cross then he thinks it would be appropriate for the court to issue an order calling for personal appearance in court by Mr. Shockley. Continuance should be one to two months depending upon whether it is necessary to have him ordered to appear.	Reviewed by: LV / SKC / LV
Notice of Hrg			Reviewed on: 10/24/2014
Aff.Mail			Updates:
Aff.Pub.			Recommendation:
Sp.Ntc.			File 12 – Shockley
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

Former Status report filed 6-26-14 by Attorney Cross (not verified) states he has finally had the opportunity to speak with Mr. Shockley. He stated that his sister (now deceased Co-Administrator) had taken charge of most of the estate since she lived in Selma, and he lives in Oakhurst. Together, they paid about a year of payments on the home and funeral expenses, etc. When the sale of the house fell through, she informed him that she was not going to pay any ore toward the house, so he didn't either. She then cut off contact with him for over three years. She did not supply him with any copies.

Mr. Cross states neither co-administrator sought his advice during that time regarding the sale of the property.

At the hearing on 5-16-14, Judge Oliver ordered a waiver of filing fees based upon the insolvency of the estate and suggested that we could proceed by way of declaration based on information and belief, as had apparently been suggested in other cases. It appears this would take the form of a Petition for Termination of Further Proceedings and Discharge of Personal Representative.

The Surviving Co-Administrator and the attorney would like to proceed in this fashion. However, because the attorney finds paucity of authority as to what would be required, he is requesting guidance from the court and/or Probate Examiners. Is Inventory and Appraisal required? Is an accounting needed? Is notice of hearing required to creditors or any other person or entity? Upon having a better understanding of what is required, the petition will be filed within 30 days.

Examiner's Notes re above questions:

Q: Is Inventory and Appraisal required?

A: Pursuant to Probate Code §8800, inventory and appraisal is required. In this case, there was an estate asset that ultimately foreclosed. If you would like to request that the Court waive the requirement of the Inventory and Appraisal due to the circumstances of this estate, you may wish to include such request in your petition. You may need to provide notice to the Probate Referee. See Probate Code §8900 et seq.

Q: Is notice of hearing required to creditors or any other person or entity?

A: A petition to terminate proceedings requires notice to all persons entitled thereto, which may include relatives, creditors whose claims were allowed but not paid per Probate Code §11000, and those who have requested special notice pursuant to Probate Code §1252. In this case, the California Franchise Tax Board requested special notice. You may also wish to address whether notice to the agencies in Probate Code §9202 is or was required and given. You will also be required to address the creditor's claims individually, in addition to notice of hearing. See Judicial Council Allowance or Rejection of Creditor's Claim and Probate Code §9250.

Q: Is an accounting needed?

A: Please see applicable Probate Code, including §§ 10951, 11000, 12200. Account may be requested by a creditor pursuant to the notice, or may be compelled by the Court, depending on circumstances.

In short, the estate must be properly closed, and how you wish to go about that is up to you as the attorney; however, the above information is provided as a general guideline with reference to Probate Code.

Please see additional page

12 (additional page) Alice Beatrice Shockley (Estate) Case No.06CEPR01193

Former Status Report filed 05/14/2014 states that co-administrator or decedent's estate, Katherine Royce, died on 08/05/2011. Mr. Shockley, co-administrator, has promised to prove a copy of her death certificate. In this case, the sole significant asset was the residence real property commonly known as 2805 B Street, Ca. which was subject to a substantial note secured by the deed of trust on the property. At the time of appointment of the personal representatives it appeared that there was substantial equity in the home. It was listed for sale and a buyer was found for a reasonable price. Unfortunately the buy backed out at the last minute. The value of the property then dropped because of the sharp decline of property values in general, no buyer was found at lower prices, and the property ultimately became worthless than the amount owed on notes secured by a deed of trust. Co-administrator William R. Shockley made the house payments for about a year, but beyond that it was beyond his means, and his co-administrator sister lacked means to contribute significantly to continue payment on the real property. As a consequence the property was ultimately washed in foreclosure. The lender refused to deal with the co-administrators with regard to the property. As a consequence of the above, the remaining administrator, William R. Shockley, has no assets to pay to any of the numerous creditors of decedent. Attorney Cross is requesting that remaining co-administrator supply the attorney with the documentation concerning the foreclosure and his payments. Nothing remains, of course, to reimburse him either.

Needs/Problems/Comments continued:

1. Need Inventory and Appraisal and First Account or Petition for Final Distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.

Probate Status Hearing RE: Non-Payment of Bond Premium

Age:		NEEDS/PROBLEMS/COMMENTS: OFF CALENDAR. Notice of Bond Premium being paid through 2/28/15 was filed on 9/25/14.
DOD:		
Cont. from		
	Aff.Sub.Wit.	
	Verified	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	
	Aff.Mail	
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	
		Reviewed by: KT Reviewed on: 10/23/14 Updates: Recommendation: File 13 – Kandarian

14 Olivia M. Garcia (CONS/PE)**Case No. 14CEPR00275****Atty Brownson, Maria Begonia (pro per – Conservator of the Person)****Atty LeVan, Nancy J. (Court Appointed for Conservatee)****Atty Kruthers, Heather (for Public Guardian – Conservator of the Estate)****Status Hearing Re: Filing of the Inventory and Appraisal**

Age: 81	On 06/25/14, MARIA BEGONIA BROWNSON , daughter, was appointed as Conservator of the Person and PUBLIC GUARDIAN , was appointed as Conservator of the Person.	NEEDS/PROBLEMS/COMMENTS: 1. Need Inventory & Appraisal.
Cont. from		
Aff.Sub.Wit.	Letters were issued to Maria Begonia Brownson on 07/23/14 and to the Public Guardian on 07/25/14.	
Verified		
Inventory		
PTC	Minute Order from 06/25/14 set this matter for status regarding filing of the Inventory & Appraisal.	
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 10/24/14
		Updates:
		Recommendation:
		File 14 – Garcia

Status Report of Conservator and Request for Termination of Conservatorship

DOD: 12-3-12		SHARON YOUNG , Sister and Successor Conservator of the Person and Estate, is Petitioner. Bond was terminated on 1-17-13. Petitioner states the Conservatee died 11-27-13 while residing at Golden Living Center in Sanger. The conservatorship estate consists of misc. personal property items and a checking account balance as of January 2014 of \$17.15. The misc. personal property items have been disposed of. The wardrobe cabinet was left with Golden Living Center. The TV and DVD player were sold and used for tombstone engraving. The guitar was given to the conservatee's nephew. Jewelry was buried with the Conservatee. Clothing was donated. Accounts funds were used toward funeral expenses. The conservatee's sole source of income was Social Security Disability benefits. The Social Security, Medicare/MediCal offices were notified of his death. All financial responsibilities toward the Golden Living Center for the conservatee's care has been met. Petitioner prays that this report be approved, the conservatorship be terminated, and the Court make such other orders it deems just and proper.	NEEDS/PROBLEMS/COMMENTS:
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg		
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	2620(c)		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

Reviewed by: skc
Reviewed on: 10-24-14
Updates:
Recommendation:
File 15 – Dailey

Petition for Visitation

		MARY A. HOLGUIN , Paternal Grandmother of Gabriel and Isaiah, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: <u>Continued from 6-30-14, 8-5-14, 9-16-14</u> Minute Order 6-30-14: The petitioner is directed to file the proof of service for Yolanda Olivas with the Clerk's office. The petitioner agrees to participate in mediation on 7-14-14 at 10:30 regarding the issue of visitation. The petitioner is directed to provide notice to Yolanda Olivas and advise her of the mediation date and time. Note: Notice of Hearing filed 6-30-14 indicates personal service on the Guardian and the Mother on 5-29-14. Proof of service filed 7-14-14 indicates that Petitioner mailed the mediation referral to the guardian and the mother on 7-10-14. Minute Order 8-5-14: The Court requires that both the mother and the father be served. The Court orders the Court Investigator to contact Child Protective Services regarding the housing conditions and if Esperanza Diaz is around the home where the children reside. Minute Order 9-16-14: The Court dispenses with further notice as to the father. CPS is ordered to do wellness check on the children. The Court orders Order to Show Cause with sanctions of \$800.00 for Yolanda Olivas. (See Page B.)	
Cont. from 063014, 080514, 091614		YOLANDA OLIVAS , Maternal Grandmother, was appointed Guardian of these minors and their half-siblings on 2-22-11.		
	Aff.Sub.Wit.			Father: Gabriel Garcia
✓	Verified			Mother: Esperanza Diaz
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			Petitioner states she would like to visit with her grandchildren Gabriel and Isaiah Garcia. She would like to know them, see them, visit with them. She wants them to know her side of the family.
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.	At the hearing on 6-30-14, the matter was continued to 8-5-14 and the parties were also referred to mediation.		
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
	Order	X		
	Aff. Posting			
	Status Rpt		Reviewed by: skc Reviewed on: 10-23-14 Updates: Recommendation: File 16A – Diaz, Alvarez, Lopez & Garcia	
	UCCJEA			
	Citation			
	FTB Notice			

Vernon: 11-27-12		VANCE KACHADURIAN , Trustee, is Petitioner. Acct period: 12-30-12 through 2-21-14 Accounting: \$223,228.36 Beginning POH: \$218,648.23 Ending POH: \$0 Trustee waives compensation; however, \$4,437.66 was paid to the trustee for partial reimbursement of \$8,630.94 in expenses incurred. Attorney: Not addressed Petitioner states he took the following actions as trustee: <ul style="list-style-type: none"> Collected death benefits from Met Life xx131 of \$6,624.92 Removed all tangible personal property from settlors' residence, which is being stored (see petition for storage address) Closed Citibank Acct #xx502 and collected balance of \$4,437.66 as partial reimbursement for trust expenses Sold residence for \$207,900.00 Paid trust expenses of \$8,630.94 from Petitioner's personal assets because the balance of the Citi account #xx502 was the only liquid asset of the trust and was insufficient to cover the expenses Made distributions totaling \$200,507.79 to the three beneficiaries as follows: <ul style="list-style-type: none"> - Cynthia Erbil \$66,835.93 - Vanessa Kachadurian \$66,835.93 - Vance Kachadurian \$66,835.93 Petitioner states Citibank Acct #xx088 is not accounted for because it was held in joint tenancy in the names of Vernon Kachadurian and Vance Kachadurian and was not an asset of the trust at Vernon's death. SEE ADDITIONAL PAGES	NEEDS/PROBLEMS/COMMENTS: Note: Petitioner alleges that beneficiary Vanessa Kachadurian took possession of various assets. It is unclear whether the acts alleged were prior to or after the deaths of the settlors, or if they took place during this account period. Petitioner does not request relief in connection with the allegations; the petition only seeks approval of Petitioner's actions as trustee for the period indicated. Therefore, the following items are noted for the Court's consideration regarding this request. Minute Order 9-23-14: Mr. Rube informs the Court that they are trying to agree on a settlement. Counsel and their clients are to personally appear unless matter settled and agreement filed. The following issue remain noted: <ol style="list-style-type: none"> Notice of Hearing filed 4-17-14 indicates that a copy of the accounting petition was <u>not</u> included in the mailing to the beneficiaries. Probate Code §17203 does not require that a copy of a petition under that section (internal affairs of a trust) be included; however, the Court may require clarification with respect to Probate Code §16060 et seq (duty to inform, account, etc.). <u>Have the beneficiaries been provided a copy of this petition?</u> Trust Exhibit A indicates that the trust originally contained two properties: One on N. Sixth Street that was sold as described in this petition, and another on E. Nees Avenue that is not mentioned in this petition. The Court may require clarification as to the disposition of the Nees Avenue property. The trust indicates that the life insurance policies indicated in Exhibit B are assets of the trust; however, Exhibit B is not attached. Petitioner indicates receipt and distribution of one policy (Met). The Court may require clarification as to whether there were any others mentioned in the trust's Exhibit B. The Court may require clarification as to the expenses incurred by Petitioner that were partially reimbursed. 	
Barbara: 12-30-12				
Cont. from: 051314, 071514, 092314				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			w/o
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input checked="" type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input type="checkbox"/>	Order	X		
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCC/JEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			

Page 2

Petitioner alleges that Vanessa Kachadurian, without knowledge, permission, consent, or authorization of Vernon or Vance, unlawfully used Vernon's ATM card to withdraw approx. \$2,500.00 from Citibank Acct #xx088, and also removed approx. \$4,000.00 cash and tangible personal property from the residence including jewelry, misc. furnishings, Vernon's wallet, credit cards, Citibank debit card, and coins. Petitioner also alleges that Vanessa Kachadurian, by way of undue influence, fraud or theft, took possession of the 2005 Toyota Sienna thereby removing said van from the trust estate.

Petitioner prays for an order settling, allowing and approving the account and ratifying, confirming, and approving all acts and transactions of Petitioner as set forth in the petition, and for such other relief as the Court deems appropriate.

Objections filed 7-14-14 by Vanessa Kachadurian states the unfounded and absurd accusations against her that have nothing to do with the matter before the Court. The one fact that the petitioner fails to mention is that he persuaded his father to change an account to a joint account with him and his father; this was a Citibank account that was titled in the name of the trust and had a balance of approx. \$80,000. Petitioner claimed that account on their father's death. Objector believes that Petitioner deceived their father to enter into this transaction. It was the decedent's intent, as well as that of their mother, that all assets and accounts be divided equally between their children. The petitioner took a windfall profit by this transaction, which accrued to his personal benefit and to the detriment of his siblings.

Objector objects to the unsubstantiated suppositions made in Paragraph 9 that Objector took cash, coins, jewelry and other personal property from the decedent's home without consent or knowledge of the petitioner, and the unsubstantiated contention in Paragraph 10 that she removed the Toyota van from the estate by other than law means. Objector contends that the decedent signed the van over to her.

Objector objects to the fact that the petitioner has admitted he has all of the personal property, furnishings and furniture from the house in a storage facility, yet failed to submit a detailed inventory of those items or his intentions as to distribution. Additionally, he has donated or otherwise disposed of some items and has not furnished receipt.

Objector would be interested in knowing the plan for distribution of the personal property, furnishings and furniture from the house, as there are a number of items that Objector is interested in obtaining.

Objector requests that the Court:

- 1. Deny the petition as prayed;**
- 2. Order Petitioner to file an amended petition omitting all the irrelevant editorial comments made in regard to Objector;**
- 3. Order Petitioner to file a complete and detailed inventory of the personal property, furnishings and furniture taken from the house as well as any other property items in his personal possession; and**
- 4. All other proper relief as the Court may deem just and proper.**

Age: 8 years		<p>THERE IS NO TEMPORARY. No temporary was requested.</p> <p>ZELDA HARVEY, maternal aunt, is petitioner.</p> <p>Father: UNKNOWN</p> <p>Mother: JANETTA BENTLEY – Declaration of Due Diligence filed on 5/29/14.</p> <p>Paternal grandparents: Unknown Maternal grandfather: Deceased Maternal grandmother: Zelda Jackson</p> <p>Petitioner states mom is homeless and uses drugs.</p> <p>Court Investigator Jennifer Daniel's Report filed on 7/21/14</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 9/16/14. Minute order indicates there were no appearances. As of 10/23/14 the following issues remain:</p> <ol style="list-style-type: none"> 1. UCCJEA is incomplete. Need the minor's residence information from July 2009 – September 2013. 2. Petition states the name of the father and paternal grandparents are unknown. Need Declaration of Due Diligence. 3. Need Notice of Hearing. 4. Need proof of personal service of the Notice of Hearing along with a copy of the Petition or consent and waiver of notice on: <ul style="list-style-type: none"> a. Janetta Bentley (mother) b. Unknown father <ul style="list-style-type: none"> - Unless the court dispenses with notice. 5. Need proof of service of the Notice of Hearing along with a copy of the petition or consent and waiver of notice on: <ul style="list-style-type: none"> a. Zelda Jackson (maternal grandmother) b. Unknown paternal grandparents – unless the court dispenses with notice. 	
Cont. from 072914, 091614				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			X
	Aff.Mail			X
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			X
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			

Reviewed by: KT
Reviewed on: 10/23/14
Updates:
Recommendation:
File 18 – Bentley

19 James Robert Foster (Det Succ)
Atty Ellison, Geralyn Sue (Pro Per – Petitioner – Daughter)
Atty Foster, James Robert Jr. (Pro Per – Petitioner – Son)

Case No. 14CEPR00747

Petition to Determine Succession to Real Property (Prob. C. 13151)

DOD: 02/27/2014		GERALYN SUE ELLISON , daughter, and JAMES ROBERT FOSTER, JR. , son, are petitioners. 40 days since DOD No other proceedings I&A - \$130,000.00 Decedent died intestate Petitioner's request Court determination that decedent's 100% interest in real property located at 31702 Tumbleweed Ln Squaw Valley, Ca. pass to Geralyn Sue Ellison and James Robert Foster, JR. pursuant to intestate succession.	NEEDS/PROBLEMS/COMMENTS: 1. Need Order.				
Cont. from 092314							
<input type="checkbox"/>	Aff.Sub.Wit.						
<input checked="" type="checkbox"/>	Verified						
<input checked="" type="checkbox"/>	Inventory						
<input type="checkbox"/>	PTC						
<input type="checkbox"/>	Not.Cred.						
<input type="checkbox"/>	Notice of Hrg n/a						
<input type="checkbox"/>	Aff.Mail n/a						
<input type="checkbox"/>	Aff.Pub.						
<input type="checkbox"/>	Sp.Ntc.						
<input type="checkbox"/>	Pers.Serv.						
<input type="checkbox"/>	Conf. Screen						
<input type="checkbox"/>	Letters						
<input type="checkbox"/>	Duties/Supp						
<input type="checkbox"/>	Objections						
<input type="checkbox"/>	Video Receipt						
<input type="checkbox"/>	CI Report						
<input type="checkbox"/>	9202						
<input type="checkbox"/>	Order x						
<input type="checkbox"/>	Aff. Posting						
<input type="checkbox"/>	Status Rpt						
<input type="checkbox"/>	UCCJEA						
<input type="checkbox"/>	Citation						
<input type="checkbox"/>	FTB Notice						
<table border="1"> <tr><td>Reviewed by: LV</td></tr> <tr><td>Reviewed on: 10/23/2014</td></tr> <tr><td>Updates:</td></tr> <tr><td>Recommendation:</td></tr> <tr><td>File 19 - Foster</td></tr> </table>			Reviewed by: LV	Reviewed on: 10/23/2014	Updates:	Recommendation:	File 19 - Foster
Reviewed by: LV							
Reviewed on: 10/23/2014							
Updates:							
Recommendation:							
File 19 - Foster							

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 16 years		<p>THERE IS NO TEMPORARY. No temporary was requested.</p> <p>KATHRYN JACKSON, maternal aunt, is petitioner.</p> <p>Father: JOHN KEMP – Deceased.</p> <p>Mother: YVETTE KEMP – Deceased</p> <p>Paternal grandfather: Deceased Paternal grandmother: Dorothy Ford – served by mail on 10/16/14. Maternal grandfather: Albert Andrews – consents and waives notice. Maternal grandmother: Jessie Andrews – consents and waives notice.</p> <p>Petitioner states both parents are deceased.</p> <p>Court Investigator Dina Calvillo's Report filed on 10/14/14.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need proof of personal service of the Notice of Hearing along with a copy of the petition or consent and waiver of notice for Cameron Paul Kemp (minor) 2. Proof of service of the Notice of Hearing for Dorothy Ford does not indicate that it was served with a copy of the petition as required. 3. Proof of Service of the Notice of Hearing for Dorothy Ford was mailed on 10/16/14 – 12 days notice and not the required 15 days notice. 	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			W/O
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input checked="" type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input checked="" type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input checked="" type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
<p>Reviewed by: KT</p> <p>Reviewed on: 10/24/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 20 – Kemp</p>				

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age:		NEEDS/PROBLEMS/COMMENTS:		
DOD:				
Cont. from				
Aff.Sub.Wit.				
Verified				
Inventory				
PTC				
Not.Cred.				
Notice of Hrg				
Aff.Mail				
Aff.Pub.				
Sp.Ntc.				
Pers.Serv.				
Conf. Screen				
Letters				
Duties/Supp				
Objections				
Video Receipt				
CI Report				
9202				
Order				
Aff. Posting				
Status Rpt				
UCCJEA				
Citation				
FTB Notice				
			Continue to <u>12/18/14</u> at the request of the petitioner.	
			Reviewed by: KT	
		Reviewed on: 10/24/14		
		Updates:		
		Recommendation:		
		File 21 – Todd		

		TEMP DENIED 9-25-14	NEEDS/PROBLEMS/COMMENTS: If this matter goes forward, the following issue exist:
		ELLA FAY WILLIAMS , Paternal Grandmother, is Petitioner.	
		Father: JAMAL RAHSAAN GRAVES - Personally served re temp hearing only	<ol style="list-style-type: none"> The minors are currently in the custody of the mother. Therefore, if this guardianship matter goes forward, need DSS Report pursuant to Probate Code §1513. In addition, further Court Investigation and clearances may be necessary. Alternatively, Petitioner may wish to seek joinder to the ongoing Family Law matter. Need notice of Hearing. Need proof of personal service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing pursuant to Probate Code §1511 or consent and waiver of notice for: - Jamal Rahsaan Graves (Father) - Ruby Mae Gaines (Mother) Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing pursuant to Probate Code §1511 or consent and waiver of notice for: - Manuel Edward Graves (Paternal Grandfather) - Zack Gaines (Maternal Grandfather) - Annette Fleming (Maternal Grandmother)
		Mother: RUBY MAE GAINES - Personally served re temp hearing only - Present at temp hearing on 9-25-14	
		Paternal Grandfather: Manuel Edward Graves Maternal Grandfather: Zack Gaines Maternal Grandmother: Annette Fleming	
		Petitioner states the minors had been living with her since June 2014 and visiting their mother on weekends. On 9-9-14, the minors were picked up by an aunt for their mother's birthday, but when Petitioner arrived to get them, they did not let the children come back with her. Jamal II missed school the next day. The mother has not enrolled him in school, even though there is one within walking distance. He is seven and still unable to read. Petitioner requests guardianship so that she can keep him in school and so that he does not fall further behind, and so that Jade can attending a child development center.	
		Petitioner states her son, the father, has cut ties with her as long as she continues to have contact with the children's mother. Petitioner states the mother gave her permission to file for guardianship. The minor Jamal has been labeled a "habitual truant," and Ruby agreed that he could live with Petitioner to attend school. Jamal had perfect attendance from 10-8-13 through 1-11-14 while he was with her. However, the father then decided to take the children to live with him. In April 2014, the father was ordered to return the minor Jamal to the mother; however, he was not enrolled in school from April to June 2014 – 37 days missed while he was in his mother's care.	
		Petitioner states she and the mother came to agreement that Petitioner will have legal guardianship of Jade and Jamal II, and she can have visitation.	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg	x	
<input type="checkbox"/>	Aff.Mail	x	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.	x	
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	Clearances Order	x	
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		Need DSS Report pursuant to Probate Code §1513.	
		Court Investigator Dina Calvillo filed a report on 10-23-14.	
			Reviewed by: skc
			Reviewed on: 10-24-14
			Updates:
			Recommendation:
			File 22 – Graves

Petition to Determine Succession to Real Property (Prob. C. 13151)

DOD: 3-14-14		FLORINE FURLOW is Petitioner. (Relationship to Decedent is not stated.)	NEEDS/PROBLEMS/COMMENTS: 1. The petition is incomplete at #5 as to whether the decedent died intestate or testate. <u>Note:</u> At #12, Petitioner states she is a successor pursuant to a will, and at #15 Petitioner states she is the named executor; however, no will is attached and Court records do not indicate that a will has ever been deposited with the Court pursuant to Probate Code §8200. <u>Need clarification.</u> Is there a will? 2. The petition is incomplete at #9. Was the decedent survived by issue of a predeceased child? 3. The petition is incomplete at #10. #10 must be completed if the decedent was not survived by a spouse or issue. 4. The petition is incomplete at #13. Need specific property interest claimed by Petitioner. 5. The petition is incomplete at #14. Need list of names, including Petitioner, each person's relationship to decedent, and addresses, if applicable. <u>Note:</u> What is Petitioner's relationship to the decedent? 6. This petition was filed with a fee waiver. If granted, assets including real and personal property will be distributed to Petitioner and therefore the filing fee will be due. Therefore, need \$435.00 filing fee. 7. Need completed order with appropriate attachments, including legal description and description of the personal property.
		40 days since DOD	
		No other proceedings	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory	I&A: \$66,500.00 (real property and personal property including a vehicle and home furnishings)	
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg	x	
<input type="checkbox"/>	Aff.Mail	x	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

Reviewed by: skc
Reviewed on: 10-24-14
Updates:
Recommendation:
File 23 – Moore

Petition for Appointment of Temporary Guardian of the Person (Prob. C. 2250)

Age: 5 years		GENERAL HEARING 12/16/14		NEEDS/PROBLEMS/COMMENTS:	
		ANNA L. RYAN , maternal grandmother, is petitioner.		1. Need Notice of Hearing.	
		Father: CURTIS W. RUBY		2. Need proof of personal service of the Notice of Hearing along with a copy of the temporary petition or consent and waiver of notice or declaration of due diligence on:	
Cont. from		Mother: CHRISTAL RUBY		a. Curtis W. Ruby (father)	
<input type="checkbox"/>	Aff.Sub.Wit.			b. Christal Ruby (mother)	
<input checked="" type="checkbox"/>	Verified	Paternal grandfather: Steven Ruby			
<input type="checkbox"/>	Inventory	Paternal grandmother: Tammy Ewald			
<input type="checkbox"/>	PTC	Maternal grandfather: Patrick Ryan			
<input type="checkbox"/>	Not.Cred.				
<input type="checkbox"/>	Notice of Hrg	<input checked="" type="checkbox"/>	Petitioner states the court is fully aware of the history of the parents' neglect and the child's need for a guardian. After giving he parents another chance to rectify the circumstances, the need to remove the child from their care remains desperate.		
<input type="checkbox"/>	Aff.Mail				
<input type="checkbox"/>	Aff.Pub.				
<input type="checkbox"/>	Sp.Ntc.				
<input type="checkbox"/>	Pers.Serv.	<input checked="" type="checkbox"/>	The parents are unstable and habitual substance abusers. In May 2014 the parents violated a restraining order when the father and paternal grandfather moved back into the mother's home.		
<input checked="" type="checkbox"/>	Conf. Screen				
<input checked="" type="checkbox"/>	Letters				
<input checked="" type="checkbox"/>	Duties/Supp				
<input type="checkbox"/>	Objections	Petitioner states she has guardianship of the minor's other child, Mysterya.			
<input type="checkbox"/>	Video Receipt				
<input type="checkbox"/>	CI Report				
<input type="checkbox"/>	9202				
<input checked="" type="checkbox"/>	Order				
<input type="checkbox"/>	Aff. Posting				
<input type="checkbox"/>	Status Rpt				
<input checked="" type="checkbox"/>	UCCJEA				
<input type="checkbox"/>	Citation				
<input type="checkbox"/>	FTB Notice				
Reviewed by: KT					
Reviewed on: 10/24/14					
Updates:					
Recommendation:					
File 24 – Ruby					